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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,
Plaintiff,

vs.

Adam Weinstein,
Gerald Dixon,

Defendants.

CR- 25-00541-PHX-DJH(DMF)

**UNITED STATES' RESPONSE TO
DEFENDANT'S MOTION TO
CONTINUE TRIAL AND DEADLINE
FOR MOTIONS [Doc. 38]**

Argument

The United States does not object to the defendant's motion to continue the trial date. Indeed, undersigned counsel advised defense counsel of the same. (See Ex. A) This case involves straightforward allegations involving a single count of wire fraud, seventeen counts of transactional money laundering sourced from the funds that are the subject of the wire fraud count, and does not necessarily present any complex or novel legal or factual issues. (Doc. 1; Indictment) The case can proceed to trial within eight months, therefore an eight-month continuance, upon the first motion to continue is unwarranted.

Furthermore, the United States is ready and able to provide defendant with Fed. R. Crim.P. 16 discovery upon written request as required. The United States also is aware of its obligations under *Brady v. Maryland* 373 U.S. 83 (1963), and its progeny, and will

1 provide defendant with *Brady* material in a timely fashion if any exists. Lastly, the co-
2 defendant has noticed a new attorney and he has not provided a position regarding a
3 continuance.

4 Given these circumstances, the United States respectfully requests that this Court
5 deny the motion for an extended continuance and set the trial for ninety days. This will
6 allow the parties to review discovery and propose a more realistic trial date. Scheduling
7 the trial at an earlier date will serve the interests of justice, ensure a timely resolution of
8 the case as the victim has a right conferred by statute to “proceedings free from
9 unreasonable delay.” 18 U.S.C. § 3771(a)(7) (“Crime Victims’ Rights Act” or “CVRA”).

10 Respectfully submitted this the 15th day of May, 2025.

11 TIMOTHY COURCHINE
12 United States Attorney
District of Arizona

13 s/ Kevin M. Rapp
14 KEVIN M. RAPP
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2025, I electronically transmitted the attached Notice of Expert Witness to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

s/D. Parke
U.S. Attorney's Office